

yellowfin tuna, bigeye tuna, and albacore. Each tally sheet must show the dealer to whom swordfish and other species were transferred, the date transferred, and the carcass weight of each swordfish transferred and of each of the other species for which individual carcass weights are normally recorded, including, but not limited to, shark, yellowfin tuna, bigeye tuna, and albacore. For species not individually weighed, tally sheets must record total weights by market category. Copies of tally sheets must be submitted with the logbook forms required under paragraph (a)(1) of this section.

(b) *Dealer reports.* (1) A dealer who has been issued a dealer permit under § 630.4 must submit a report to the Science and Research Director twice each month. A report form is available from the Science and Research Director. The following information must be included in each report:

(i) Name, address, and permit number of the dealer;

(ii) Names and official numbers of fishing vessels from which swordfish were received;

(iii) Dates of receipt of swordfish; and

(iv) Listed by each port and county where swordfish were off-loaded from fishing vessels:

(A) Total weight (pounds) by market category for swordfish, and for other species received with the swordfish, including, but not limited to, shark, yellowfin tuna, bigeye tuna, and albacore; and

(B) Price per pound or total value paid by market category for swordfish and other species, to the extent that such price information is known at the time of reporting.

(2) A report of swordfish and other applicable species received by a dealer on the 1st through the 15th days of each month must be submitted to the Science and Research Director postmarked not later than the 20th day of that month. A report of swordfish received by a dealer on the 16th through the last day of each month must be submitted to the Science and Research Director postmarked not later than the 5th day of the following month. If no swordfish were received during a reporting period, a report so stating must be submitted postmarked as spec-

ified for that respective reporting period.

(3) The reporting requirement of paragraph (b)(1) of this section may be satisfied by providing a copy of each appropriate weigh-out sheet and/or sales record, provided such weigh-out sheet and/or sales record, by itself or combined with the form available from the Science and Research Director, includes all of the required information.

(4) For the purposes of paragraph (b) of this section, for a swordfish off-loaded from a fishing vessel in an Atlantic coastal state from Maine through Virginia, Science and Research Director means the Science and Research Director, Northeast Fisheries Science Center, NMFS, Woods Hole, MA 02543, telephone 617-548-5123, or a designee. For a swordfish off-loaded from a fishing vessel in an Atlantic coastal state from Maine through Virginia, in lieu of providing a required report to the Science and Research Director by mail, as specified in paragraph (b)(2) of this section, a dealer may provide a report to a state or Federal fishery port agent designated by the Science and Research Director. Reports so provided must be delivered to such port agent not later than the prescribed post mark date for submitting each such report.

[56 FR 65017, Dec. 13, 1991, as amended at 61 FR 27307, May 31, 1996]

§ 630.6 Vessel identification.

(a) *Official number.* A vessel for which a permit is required by § 630.4 must display its official number—

(1) On the port and starboard sides of the deckhouse or hull and on an appropriate weather deck so as to be clearly visible from an enforcement vessel or aircraft;

(2) In block arabic numerals in contrasting color to the background;

(3) At least 18 inches in height for vessels over 65 feet in length and at least 10 inches in height for all other vessels; and

(4) Permanently affixed to or painted on the vessel.

(b) *Duties of operator.* The operator of each fishing vessel must—

(1) Keep the official number clearly legible and in good repair, and

(2) Ensure that no part of the fishing vessel, its rigging, its fishing gear, or

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anything carried aboard obstructs the view of the official number from any enforcement vessel or aircraft.

[50 FR 33956, Aug. 22, 1985, as amended at 53 FR 27694, July 22, 1988]

§ 630.7 Prohibitions.

In addition to the general prohibitions specified in § 620.7 of this chapter, it is unlawful for any person to do any of the following:

(a) Fish for, possess, retain, or land swordfish without a valid permit aboard a vessel when such permit is required under § 630.4(a)(1).

(b) Purchase, sell, barter, or trade or attempt to purchase, sell, barter, or trade a swordfish taken by a vessel that does not have a valid permit when such permit is required under § 630.4(a)(1) and as specified in § 630.21(b).

(c) Sell, barter or trade or attempt to sell, barter, or trade a swordfish harvested from or possessed in the North Atlantic Ocean north of 5° N. latitude, including the Gulf of Mexico and Caribbean Sea, to a dealer without a valid dealer permit issued under § 630.4(e).

(d) As a dealer, purchase, barter, or trade or attempt to purchase, barter, or trade a swordfish without an annual dealer permit, as specified in §§ 630.4(a)(2) and 630.21(c).

(e) Falsify information required on an application for a permit submitted under § 630.4 (b) or (c).

(f) Fail to display a permit, as required by § 630.4(h).

(g) Falsify or fail to maintain or submit information required to be maintained or submitted, as specified in § 630.5 (a) or (b).

(h) Falsify or fail to affix and maintain vessel markings, as specified in § 630.6.

(i) Fail to embark an observer on a trip when selected, as specified in § 630.10(a).

(j) Falsify or fail to provide requested information regarding a vessel's trip, as specified in § 630.10(b).

(k) Assault, resist, oppose, impede, harass, intimidate, or interfere with an NMFS-approved observer aboard a vessel.

(l) Prohibit or bar by command, impediment, threat, coercion, or refusal of reasonable assistance, an observer

conducting his or her duties aboard a vessel.

(m) Fail to provide an observer with the required food, accommodations, access, and assistance, as specified in § 630.10(c).

(n) Transfer a swordfish at sea from or to a fishing vessel, as specified in § 630.21(a).

(o) Sell, purchase, trade, or barter or attempt to sell, purchase, trade, or barter a swordfish harvested in the recreational fishery, as specified in § 630.21(d).

(p) Fish for swordfish with a drift gillnet that is 2.5 kilometers or more in length or possess a swordfish aboard a vessel possessing such drift gillnet, as specified in § 630.22.

(q) Possess on board a vessel a swordfish that is smaller than the minimum size specified in § 630.23(a).

(r) Possess or land a swordfish in other than whole or dressed form, as specified in § 630.23(c).

(s) During a closure of the drift gillnet, longline, or harpoon fisheries under § 630.25(a)(1) or (b), aboard a vessel using or having aboard the specified gear, fish for swordfish, or possess or land swordfish in excess of the bycatch limits, as specified in § 630.25(c).

(t) Aboard a vessel using or having aboard gear other than drift gillnet, longline, or harpoon, fish for swordfish, or possess or land swordfish in excess of the bycatch limit, as specified in § 630.25(d).

(u) During a closure of the bycatch fishery under § 630.25(a)(2), fish for, possess, or land swordfish, as specified in § 630.25(e).

(v) Interfere with, obstruct, delay, or prevent by any means, a lawful investigation or search in the process of enforcing this part.

(w) Make any false statement, oral or written, to an authorized officer concerning the taking, catching, harvesting, landing, purchase, sale, possession, or transfer of a swordfish.

(x) Violate any provision of this part, the Magnuson Act, the Atlantic Tunas Convention Act, or any regulations or permits issued under the Magnuson Act or the Atlantic Tunas Convention Act.

(y) Purchase, sell, trade, or barter, or attempt to purchase, sell, trade, or barter, any swordfish or part thereof that